

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

City of Port Isabel, <i>et al.</i> ,)	
Petitioners,)	
)	
v.)	No. 23-1174
)	
Federal Energy Regulatory)	
Commission,)	
Respondent.)	

**MOTION FOR A SIXTY-DAY
BRIEFING PERIOD FOR RESPONDENT**

Pursuant to Rule 27 of the Federal Rules of Appellate Procedure and Circuit Rule 27, Respondent Federal Energy Regulatory Commission moves this Court to include in its briefing schedule a period of 60 days between the filing of Petitioners' opening brief and the Commission's brief in response.

Because the Commission has numerous cases before this and other Circuits at any given time, the requested 60-day briefing interval facilitates efficient coordination of the Commission's case load and lessens the possibility of being forced to seek an extension after a briefing schedule has been established.

In addition, this petition seeks review of the Commission's April 21, 2023 order in *Rio Grande LNG*, 183 FERC ¶ 61,046 (2023) (FERC

Dkt. CP16-454, *et al*). That order responded to the Court's remand in *Vecinos para el Bienestar de la Comunidad Costera v. FERC*, 6 F.4th 1321 (D.C. Cir. 2021). In *Vecinos*, the Court also remanded the Commission's authorization of a separate liquefied natural gas project addressed in FERC Docket No. CP16-116. The Commission responded to that aspect of the *Vecinos* remand in a separate order, *Texas LNG Brownsville LLC*, 183 FERC ¶ 61,047 (Apr. 21, 2023). Parties have petitioned for review of the *Texas LNG Brownsville* order in D.C. Circuit Case No. 23-1175.

As a result, the Commission will be responding to two opening briefs regarding a related subject matter on what will likely be similar schedules. *See also* Petitioners' Rule 28 Cert. (Aug. 14, 2023) (identifying D.C. Cir. Case No. 23-1175 as a related case). Accordingly, the Commission submits that a 60-day briefing interval is appropriate here.

Respondent is advised that Petitioners will oppose this motion.

Respectfully submitted,

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August 14, 2023

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g), I certify that this filing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(C) because it contains 272 words, excluding the parts exempted by Fed. R. App. P. 32(f).

I further certify that this filing complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this filing has been prepared in Century Schoolbook 14-point font using Microsoft Word 2010.

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CERTIFICATE OF SERVICE

I hereby certify that, on August 14, 2023 a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Robert M. Kennedy

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